

**Enterprise Leasing Company-Southeast, LLC and
International Brotherhood of Teamsters, Local
391.** Case 11–CA–073779

CORRECTION

On October 2, 2014, the National Labor Relations Board issued a Decision and Order in the above-captioned proceeding in which an inadvertent error appears in fn. 4. Footnote 4 should read:

⁴ See, e.g., *Exxon Chemical Patents, Inc. v. Lubrizol Corp.*, 137 F.3d 1475, 1483 (Fed. Cir. 1998) (motion for clarification); *United States v. Cote*, 51 F.3d 178, 181 (9th Cir. 1995) (petition for rehearing or modification); *Luckey v. Miller*, 929 F.2d 618, 621–622 (11th Cir. 1991) (petition for rehearing en banc). Member Johnson did not participate in the prior representation case and concurs with the result in this proceeding, without needing to rely on the Board’s view stated in its petition, above. Here, the Court indicated in its original opinion on review that the sole reason for declining to enforce the order was based on the invalid composition of the Board at that time; the Court did not give any explanation for its subsequent denial of the petition for rehearing that was filed by a constitutionally valid Board; and the Respondent has admittedly refused to bargain while not raising any representation issues that are properly litigable in an unfair labor practice proceeding. See *Pittsburgh Plate Glass Co. v. NLRB*, 313 U.S. 146, 162 (1941). Given those circumstances, Member Johnson concurs here.

Please substitute the attached decision for the one previously issued.

Dated, Washington, D.C. October 3, 2014